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REMARKS

Applicant respectfully requests reconsideration of the above identified application in view of the foregoing amendments and following remarks.

Status of Claims

Claims 10-11, 18-20, 27, 32, and the second numbered Claim 22 have been cancelled. Accordingly, Claims 1-9, 12-17, 21-26, 28-31, and 33-34 are now pending in the application. Claims 1, 3, 9, 17, 21, 22, 24, 28, 29, and 31 have been amended. Applicant respectfully asserts that the amendments to the claims add no new matter.

Claim Objections

In paragraph number 1 on page 2 of the Office Action, the Examiner objected to Claims 9-17 and 22-34 because of informalities. Claim 9 has been amended to include a comma before the term "the request." Claims 11 and 32 have been cancelled, rendering their objection moot. Claims 17, 24, 28, 29, and 31 have been amended in full accordance with the Examiner's comments. The second numbered Claim 22 has been cancelled to cure the misnumbering of Claims 22-34. It is respectfully submitted that the foregoing amendments resolve the Examiner's objections to the amended claims and the claims dependent therefrom. Accordingly, Applicant requests withdrawal of the objection.

Double Patenting Rejections

In paragraph number 2 on pages 3 and 4 of the Office Action, the Examiner rejected Claims 1, 2, 7-10 and 15 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims of copending Application No. 11/441,661.

Applicant is filing a terminal disclaimer herewith for overcoming this rejection. It is respectfully requested that the obvious-type double patenting rejection be withdrawn.

35 U.S.C. § 112 Rejections

In paragraph number 3 on pages 4 and 5 of the Office Action, the Examiner rejected Claims 4, 9, 11, and 33 under 35 U.S.C. § 112 as failing to comply with the enablement requirement. Applicant respectfully traverses this rejection of Claims 4, 9, 11, and 33. Claim

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11 has been cancelled, rendering its rejection moot. With respect to Claims 4, 9, and 33, Applicant respectfully submits that the claims are fully enabled by the specification.

The Examiner states that "It is not explained in the specification of how the request from the STA can include or create a multicast address because the AP who has the ability to determine the multicast address and not the STA."

The attention of the Examiner is respectfully directed to paragraph 0011 in which the term "multicast address" is taught. Specifically, "a multicast address designates a device(s) from which multiple user stations could substantially simultaneously obtain information even though the device(s) corresponding to the address may not ultimately be the originating source device." The STA's ability to determine the multicast address as per this usage is described in paragraphs 0018-0019. Specifically:

"In certain example scenarios, a client or station (STA) may be running an application program that may require information from the network. For instance, and by way of example only, an application may need to receive streaming video data from the network. In this example, according to one embodiment, the application may request 205 creation of a schedule for delivery of the information. The request may include a specific address for the source of the information and optionally certain QoS attributes desired for receiving the information.

The STA may then transmit 210 the request to an AP for processing. In one example WLAN embodiment, the STA media access controller (MAC) may generate the request, for example, including a multicast address and desire QoS attributes as part of a transmission specification (TSPEC) request which is sent via the air interface to the AP."

Applicant respectfully submits that Claims 4, 9 and 33 are enabled by the specification, and the rejection under 35 U.S.C. § 112 be withdrawn.

35 U.S.C. § 102 Rejections

In paragraph 4 on pages 5-6 of the Office Action, the Examiner rejected Claims 1-3, 5, and 8 under 35 U.S.C. § 102(e), as being anticipated by Pecan et al. (US 2005/0083961). It

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is respectfully submitted that the Pecen reference does not anticipate the pending claims, and thus the rejection should be withdrawn.

Claim 1 has been amended to recite "receiving from a client, a request for the information; creating a multicast schedule in response to the request." It is respectfully submitted that the Pecen reference does not disclose this recited feature. Specifically, Pecen's multicast is advertised to mobile devices, e.g. clients – see paragraphs 0021 ("an advertisement about an upcoming multicast") and also paragraph 0028 – with mobile devices opting to respond to the advertisement - see paragraph 0022.

On the other hand, Applicant's client solicits the information, as such information may be required by an application (paragraphs 0011 and 0018 of the specification), thereby necessitating the "creating a multicast schedule in response to the request" (see also paragraph 0023). In contrast, Pecen's requests are for the advertised upcoming multicasts (paragraph 0023).

Therefore, the Pecen reference does not anticipate Claim 1 and the claims dependent therefrom, and the rejection under 35 U.S.C. §102 should be withdrawn. Such action is respectfully solicited.

It is respectfully submitted that the features recited in the pending claims are also not made obvious from any additional reference added to the Pecen reference.

35 U.S.C. § 103 Rejections

In numbered paragraphs 5-7 on pages 6-8 of the Office Action, the Examiner rejected Claim 4 under 35 U.S.C. § 103(a), as being unpatentable over Pecen in view of Pung et al (2002/0150099), Claim 6 as being unpatentable over Pecen in view of Chuan (US 7,096,039), and Claim 7 as being unpatentable over Pecen in view of Benveniste (US 2005/0152324).

Claims 4, 6, and 7 depend from Claim 1 and include the "receiving from a client, a request for the information; creating a multicast schedule in response to the request" of Claim 1 as well as additional distinguishing features. As discussed above, Claim 1 and the claims dependent therefrom are not anticipated by Pecen. Pung, Chuan, and Benveniste do not cure the deficiencies of Pecen. Specifically, Pung, Chuan, and Benveniste do not teach "receiving from a client, a request for the information; creating a multicast schedule in response to the

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request.” Therefore, none of Pecen, Pung, Chaun and Benveniste alone or in combination renders Claims 4, 6, and 7 obvious. Accordingly, the rejection thereunder is respectfully requested to be withdrawn.

In paragraph 8 on pages 8-10 of the Office Action, the Examiner rejected Claims 9, 10, 13, 14, 17-20, 22-32, and 34 under 35 U.S.C. § 103(a), as being unpatentable over Pecen in view of Vook (US 5,636,220). Applicant respectfully submits the rejection of Claims 9, 10, 13, 14, 17-20, 22-32 and 34 as being unpatentable over Pecen in view of Vook should be withdrawn.

Claims 10, 18-20, 27, and 32 have been cancelled, rendering their rejection moot. Amended independent Claims 9 and 17 recite in “the scheduled multicast delivery of the information created in response to the request for delivery,” and amended independent Claims 24 and 31 recite “scheduling of the wireless multicast is based on one or more requests having a multicast address and received from one or more network devices.” The Pecen reference does not disclose these features of independent Claims 9, 17, 24, and 31. As discussed above with respect to Claim 1, Pecen teaches mobile devices responding to an advertised multicast. The Vook reference does not cure the deficiencies of Pecen. Specifically Vook does not disclose the “the scheduled multicast delivery of the information created in response to the request for delivery” of Claims 9 and 17 or the “scheduling of the wireless multicast is based on one or more requests having a multicast address and received from one or more network devices” of Claims 24 and 31. Therefore Pecen and Vook alone or in combination do not render independent Claims 9, 17, 24, and 31 and the claims dependent therefrom obvious. Accordingly, the rejection thereunder is respectfully requested to be withdrawn.

In paragraph 9 on pages 10-11 of the Office Action, the Examiner rejected Claims 11, 12 and 33 under 35 U.S.C. § 103(a), as being unpatentable over Pecen in view of Vook as applied to Claims 9, 31 and 32 above and further in view of Pung. Applicant respectfully submits that the rejection of Claims 11, 12 and 33 as being unpatentable over Pecen in view of Vook and further in view of Pung should be withdrawn.

Claim 11 has been cancelled, rendering its rejection moot. Claims 12 and 33 depend from independent Claims 9 and 31 respectively and include all of the limitations of their

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respective independent claims as well as additional distinguishing features. As discussed above, Claims 9 and 31 are not made obvious by Pecen alone or in combination with Vook. The Pung reference does not cure the deficiencies of Pecen and Vook. Specifically, Pung does not disclose the "the scheduled multicast delivery of the information created in response to the request for delivery" of Claim 9 or the "scheduling of the wireless multicast is based on one or more requests having a multicast address and received from one or more network devices" of Claim 31. Therefore, it is respectfully submitted that Pecen, Vook and Pung alone or in combination do not render Claims 12 and 33 obvious. Accordingly, the rejection thereunder is respectfully requested to be withdrawn.

In paragraph 10 on pages 11-12 of the Office Action, the Examiner rejected Claim 15 under 35 U.S.C. § 103(a), as being unpatentable over Pecen in view of Vook as applied to Claim 9 above and further in view of Benveniste. Applicant respectfully submits that the rejection of Claim 15 as being unpatentable over Pecen in view of Vook as applied to Claim 9 above and further in view of Benveniste should be withdrawn.

Claim 15 depends from independent Claim 9 and includes all of the limitations of Claim 9 as well as additional distinguishing features. As discussed above, Claim 9 is not made obvious by Pecen alone or in combination with Vook. The Benveniste reference does not cure the deficiencies of Pecen and Vook. Specifically, Beneveniste does not disclose the "the scheduled multicast delivery of the information created in response to the request for delivery" of Claim 9. Therefore, it is respectfully submitted that Pecen, Vook and Benveniste alone or in combination do not render Claim 15 obvious. Accordingly, the rejection thereunder is respectfully requested to be withdrawn.

In paragraph 11 on page 12 of the Office Action, the Examiner rejected Claims 16 and 21 under 35 U.S.C. § 103(a), as being unpatentable over Pecen in view of Vook as applied to Claim 9 above and further in view of Chuah. Applicant respectfully submits that the rejection of Claims 16 and 21 as being unpatentable over Pecen in view of Vook as applied to Claim 9 above and further in view of Chuah should be withdrawn.

Claims 16 and 21 depend from Claims 9 and 17 respectively and include all of the limitations of their respective independent claims as well as additional distinguishing features. As discussed above, Claims 9 and 17 are not made obvious by Pecen alone or in

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combination with Vook. The Chuah reference does not cure the deficiencies of Pecen and Vook. Specifically, Chuah does not disclose the "the scheduled multicast delivery of the information created in response to the request for delivery" of Claims 9 and 17. Therefore, it is respectfully submitted that Pecen, Vook and Chuah alone or in combination do not render Claims 16 and 21 obvious. Accordingly, the rejection thereunder is respectfully requested to be withdrawn.

Conclusion

In view of the foregoing amendments and remarks, Applicant submits that the pending claims are clearly distinguished over the prior art of record. Their favorable reconsideration and passage to issue is respectfully requested.

The Examiner is invited to telephone the undersigned to discuss any still outstanding matters with respect to the present application. Please charge any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,


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Dated: November 21, 2007

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